

REMARKS

The present response requests reconsideration of the rejected claims.

Claims 1-2 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Nippon JP 59-169577. This rejection is respectfully traversed.

A more detailed English abstract of this reference is submitted herewith and is being submitted in an IDS as well. The reference discusses a coating over metal fibers and a coating of a synthetic resin containing metal in the form of powder. These are not powder coating compositions, as shown in the Kirk-Othmer reference submitted with the response to the first Office Action. More importantly, the disclosure in the reference has no relationship to and, thus, does not teach or suggest the claimed conductive powder coating composition comprising metallic fibers.

Claims 1-4 and 7-9 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Nippon Sensei in view of Suzuki. This rejection is respectfully traversed.

The rejection is overcome on the merits. The bases for the rejection are also questioned because the combination of these references is inappropriate in this anticipation rejection and it does not appear that the Nippon Sensei reference predates the priority date of the present application.

The Merits

The rejection is based on Nippon Sensei's allegedly disclosing steel fibers and chops and Suzuki allegedly coating steel fibers with a powder coating. This does not teach or suggest a powder coating composition which comprises metallic fibers, as claimed. Instead, the result of combining the references is metal coated with powder. Please see the Kirk-Othmer reference submitted with the response

to the first Office Action for more detail on the nature of powder coating compositions.

Multiple References

It is respectfully submitted that the combination of these references is inappropriate in this anticipation rejection. The Office Action correctly states that there are instances where multiple references can be used in an anticipation rejection. However, this is not one of those instances. If this combination of references is continued in this anticipation rejection, it is requested that an explanation be provided of how the criteria for citing multiple references is allegedly met in this case.

Date of Reference

Kindly provide support for the 1970 date for the Nippon Sensei reference. The 1970 date is indicated on the PTO-1449, but there is no indication of a date in the reference itself aside from the date of the YAHOO!® copyright on the search, i.e., 2003. In the absence of support for the 1970 date, it does not appear that the reference predates the priority date of the present application.

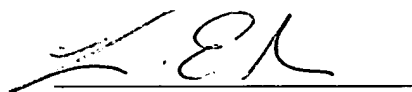
Claims 1-4 and 7-9 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable based on Nippon JP 59-169577 in view of Nippon Sensei. This rejection is respectfully traversed.

As discussed above, neither of these references discloses a powder coating composition and, thus, does not teach or suggest the claimed conductive powder coating composition with metallic fibers.

It is respectfully submitted that the rejections are overcome and withdrawal thereof is requested.

The undersigned is available at the phone number below if there are any additional issues in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L.E.P.', is written over a horizontal line.

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Encl: Abstract of JP 59-169577